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APPLICATION NO.		FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,181	09/687,181 10/12/2000			Markus Klausner	11403/5	9725
26646	759	02/09	9/2004		EXAMINER	
KENYO ONE BR		ENYON	MOORE, IAN N			
NEW YORK, NY 10004			•	·	ART UNIT	PAPER NUMBER
					2661	6
					DATE MAILED: 02/09/2004	, ,

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applicatio	n No	Applicant(s)				
•	Office Action Summary	09/687,18	1	KLAUSNER ET AL.				
	Office Action Summary	Examiner		Art Unit				
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Period fo	The MAILING DATE of this communic or Reply	ation appears on the	COVER SHEET WITH THE C	orresponaence adaress				
A SH THE - Exte after - If the - If NC - Failu Any	ORTENED STATUTORY PERIOD FO MAILING DATE OF THIS COMMUNIC nsions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commus period for reply specified above is less than thirty (30) operiod for reply is specified above, the maximum stature to reply within the set or extended period for reply we reply received by the Office later than three months after the part of the provision of the p	CATION. 137 CFR 1.136(a). In no eve nication. days, a reply within the statu trory period will apply and wil ill, by statute, cause the appli	nt, however, may a reply be tim tory minimum of thirty (30) day I expire SIX (6) MONTHS from cation to become ABANDONEI	nety filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status								
1)	Responsive to communication(s) filed	lon .						
2a)□	•	o)⊠ This action is no	on-final.					
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
5)□ 6)⊠ 7)□	4) Claim(s) 1-33 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-33 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.							
Applicat	ion Papers							
 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. 								
Priority under 35 U.S.C. § 119								
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
2) Notice 3) Information	t(s) ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PT mation Disclosure Statement(s) (PTO-1449 or P cr No(s)/Mail Date <u>4.5</u> .		4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:					

DETAILED ACTION

Claim Objections

Claim 32 is objected to because of the following informalities: "The system of claim 32..."
 Examiner assets that claim 32 must depend on the claim 31 (i.e. the similar faction as method claims).

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-11, 13-27, and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Spaur (U.S. 5,732,074).

Regarding Claims 1 and 17, Spaur'074 discloses a system and a method for translating a message of a first protocol (see FIG. 2, a protocol that communicates to the vehicle devices 50a-50n) to a second protocol (see FIG. 2, Air-link/Radio protocol), comprising:

a first driver (see FIG. 2, the combined system of Controller Area Network Control
Unit 124 and Controller/network protocol converter 30) to receive the message of the first
protocol (see FIG. 2, CAN bus 126 and vehicle devices 50a-50n) and convert the message to

Art Unit: 2661

an independent format (see FIG. 2, TCP/IP STACK 98 converts the messages into TCP/IP format by encapsulation. Also, see col. 8, line 24-67);

a message handler (see FIG. 2, Controller/network protocol converter 30) to receive said message from said first driver (see FIG. 2, Controller/network protocol converter 30 receives the messages from the Controller Area Network Control Unit 124); and

a second driver (see FIG. 2, Vehicle CDPD network modem 82) to receive said message from said message handler (see FIG. 2, Phone interface 84 receiving TCP/IP messages from Controller/network protocol converter 30) and to convert the message received in the independent format to the second protocol (see FIG. 2, Air link/Radio protocol; see col. 7, line 13-21); where

the first driver and the second driver are located in a vehicle (see FIG. 1, Wireless device 18 and Controller 30; see col. 6, line 3-24; note that both wireless device and controller are in the vehicle.) and the first protocol is a vehicular protocol (see FIG. 1, a protocol utilizing Vehicle Standard network 40); and

the second protocol is a wireless link (see FIG. 1, Wireless device 18 which couples to the air link; see FIG. 2, Air link/Radio protocol; see col. 7, line 13-21).

Regarding Claims 2 and 18, Spaur'074 discloses a message dispatcher (see FIG. 2, Controller/network protocol converter 30) to receive the message from the first driver before transmitting the message to the message handler, wherein the message dispatcher is adapted to the message handler from a set of one or more message handlers by consulting a database (see FIG. 2, the combined system of Data Memory 106 and Program Memory 114; see col.

Art Unit: 2661

10, line 36-64, col. 8, line 1-50; note that RTOS 94 and processor 90, in the Controller 30, are adapted to perform multi-tasking management function such as control/memory/communication/ message/error managements. Thus, both RTOS 94 and processor 90 select/direct the message to handling devices such as CGI-BIN 110, Webserver 102, Controller Area Network unit 124, and/or device drivers 128 before transmission in accordance with the combined system of Data Memory 106 and Program Memory 114 (i.e. data base)).

Regarding Claims 3 and 19, Spaur'074 discloses wherein a multiplexer (see FIG. 2, TCP/IP Stack) is to receive the message from the message handler before transmitting the message to the second driver (see col. 8, line 24-40, col. 12, line 40-69; note that it is well known in the art that TCP/IP stacks encapsulates the data in accordance with Standards. The outputted plurality of messages from various of handling devices CGI-BIN 110, Webserver 102, Controller Area Network unit 124, and/or device drivers 128, must be multiplexed (i.e. converting from parallel inputs to a single serial output) in order to encapsulate them into TCP/IP format. Thus, multiplexing of messages from plurality of input into a serial form must be done so that the multiplexed messages can be encapsulated into the serial radio frames for wireless transmission.

Regarding Claims 4 and 20, Spaur'074 discloses wherein the multiplexer is to utilize a network configuration unit (see FIG. 2, the combined system of RTOS 94, Processor 90) for at least one of system startup, maintenance, and dynamic reconfiguration (see col. 10, line

Art Unit: 2661

36-64; col. 8, line 1-50; note that RTOS 94 and processor 90 perform multi-tasking management function such as control/memory/communication/ message/error managements. Thus, it is clear that TCP/IP stack must utilize the combined system of RTOS and processor unit for network management/control tasks such as system maintenance, communication, configuration/re-configuration (i.e. memory management).)

Regarding Claims 5 and 21, Spaur'074 discloses wherein the message handler is to perform a manipulation on the message (see col. 8, line 24 to col. 9, line 56; note that Web server 102 services information related requests messages in http format. Thus, it is clear that it must manipulate/influence the message.)

Regarding Claims 6 and 22, Spaur'074 discloses wherein the manipulation includes at least one of packet translation and interaction with a computer application (see FIG. 2, Program Memory 114 and data memory 106; see col. 8, line 40 to col. 9, line 54; note that program memory 114 stores executable software applications associated with the vehicle, and the data memory stores the handling requests or commands. Thus, manipulation/influencing the message includes the web server access data memory to obtain configured data for encapsulation in the message, and the web server also links/interacts with the program memory to execute software applications.)

Art Unit: 2661

Regarding Claims 7 and 23, Spaur'074 discloses wherein a third driver (see FIG. 2, Remote CDPD Network Modem 76 and Modem 64) coupled to the second driver (see FIG. 2, Vehicle CDPD network modem 82 to the cellular phone 80).

Regarding Claims 8 and 24, Spaur'074 discloses wherein the multiplexer is a network multiplexer (see FIG. 2, TCP/IP stacks with the multiplex functionality is being used in CAN network and Radio/TCP/IP network. Thus, it is clear that the TCP/IP stacks must have network-multiplexing functionality.)

Regarding Claims 9 and 25, Spaur'074 discloses the database is a rules database (see FIG. 2, Data Memory 106 and Program Memory 114; see col. 8, line 40 to col. 9, line 54; note that both memory units store the commands/requests/applications/regulations for controller.)

Regarding Claims 10 and 26, Spaur'074 discloses wherein the message is transmitted from the second driver (see FIG. 2, Vehicle CDPD network modem 82 to the cellular phone 80) to a third driver (see FIG. 2, the combined system of Remote CDPD Network Modem 76 and modem 64) in the second protocol by wireless communication (see FIG. 2, Air link).

Regarding Claims 11 and 27, Spaur'074 discloses wherein the first protocol is a Controller Area Network protocol (see FIG. 2, Controller Area Network Control Unit 124).

Art Unit: 2661

Regarding Claims 13 and 29, Spaur'074 discloses wherein the message received by the third driver (see FIG. 2, the combined system of Remote CDPD Network Modem 76 and modem 64) is translated back to the first protocol (see FIG. 2, a protocol that communicates to the vehicle devices 50a-50n) and received by a fourth driver (see FIG. Computer terminal 60). See col. 2, line 30-50 and col. 7, line 12-45; note that the combined system of RF modem 76 and modem 64 demodulates/de-capsulates the radio frames into the IP packets. Each message inside the IP packet is associated with a specific vehicle device ID/address. The converted message received at the computer terminal includes the IP address associated with a specific on-board vehicle device ID. Thus, it is clear that the received message is converted back to original message format (i.e. first protocol) which utilizes when communicating to the vehicle devices.)

Regarding Claims 14 and 30, Spaur'074 discloses wherein a remote application in communication with the third driver is capable of receiving the message (see FIG. 2, Browser application 72 in the computer terminal 60 receives the message via the combined system of Remote CDPD Network Modem 76 and modem 64). See col. 12, line 39-69.

Regarding Claims 15 and 31, Spaur'074 discloses wherein the remote application is capable of either passively receiving the message (see col.4, line 24-37; note that application (i.e. Web browser application in the computer terminal) receives the message from the vehicle periodically.) or initiating a transmission from the third driver back to the second

Art Unit: 2661

driver for translation and receipt at the first driver in the first protocol (see col. 2, line 24 to col. 4, line 23; note that the computer terminal initiates the request associated with the vehicle device from the remote uplink CDPD network modem to the downlink vehicle CDPD network modem, and the message is received at the combined system of Controller Area Network Control Unit 124 and Controller/network protocol converter 30 in the protocol which communicates to the vehicle devices 50a-50n.)

Regarding claims 16 and 32, Spaur'074 discloses wherein the third driver (see FIG. 2, the combined system of Remote CDPD Network Modem 76 and modem 64) is unable to communicate with the second driver unless the third driver adheres to predefined transmission rules (see col. 2, line 25-65; note that it is well known in the art that CDPD (Cellular Digitized Packet Data) network utilizes the encrypting, encoding, and encapsulation policies/regulations according to the CDPD RF requirements before the message is sent over the air links. Thus, it is clear that the network modem 76 must utilize CDPD policies/regulation in order to transmit the message to the vehicle wireless modem 82) and transmits messages from only a predefined group of possible messages (see col. 25, line 25-65; note that messages are only send according to the commands/requests from the particular/specific vehicle devices within a group of plurality of vehicle devices.)

3. Claims 1, 6, 10-17, 22, and 26-32 are rejected under 35 U.S.C. 102(a) as being anticipated by Wunderlich.

Art Unit: 2661

Regarding Claims 1 and 17, Wunderlich discloses a system and a method for translating a message of a first protocol (see FIG. 4, CAN protocol) to a second protocol (see FIG. 4, Radio Frequency, BT RF); see page 9-11, comprising:

a first driver (see FIG. 4, the combined system of CAN driver, CAN, Bluetooth/CAN conversion at local node) to receive the message of the first protocol and convert the message to an independent format (see page 9-11, CAN/Bluetooth basis; the CAN messages are wrapped up into Bluetooth packets);

a message handler (see FIG. 4, Bluetooth/CAN conversion layer) to receive said message from said first driver (see FIG. 7, Bluetooth/CAN conversion layer receives CAN messages); and

a second driver (see FIG. 4, Bluetooth and BT RF at local node) to receive said message from said message handler (see FIG. 4, Bluetooth/CAN conversion layer) and to convert the message received in the independent format to the second protocol (see FIG. BT RF; note that Bluetooth packets are encapsulated into a radio frame); where

the first driver and the second driver are located in a vehicle and the first protocol is a vehicular protocol (see FIG. 5, both CAN bus and Bluetooth gateway are in the car); and the second protocol is a wireless link (see FIG. 4, BT RF link).

Regarding Claims 6 and 22, Wunderlich discloses wherein a third driver (see FIG. 4, Bluetooth and BT RF at remote station) coupled to the second driver (see FIG. 4, Bluetooth and BT RF).

Art Unit: 2661

Regarding Claims 10 and 26, Wunderlich discloses wherein the message is transmitted from the second driver (see FIG. 4, Bluetooth and BT RF) to a third driver (see FIG. 4, Bluetooth and BT RF at remote station) in the second protocol (see FIG. 4, BT RF link and Bluetooth).

Page 10

Regarding Claims 11 and 27, Wunderlich discloses wherein the first protocol is a Controller Area Network protocol (see FIG. 4, Controller Area Network Control CAN protocol).

Regarding Claims 12 and 28, Wunderlich discloses wherein the second protocol is a Bluetooth protocol (see FIG. 4, Bluetooth, BT RF).

Regarding Claims 13 and 29, Wunderlich discloses wherein the message received by the third driver is translated back (see FIG. 4, the combined system of Bluetooth, BT RF, and Bluetooth/CAN conversion at remote station) to the first protocol (see FIG. 4, Controller Area Network Control CAN protocol) and received by a fourth driver (see FIG. 4, CAN driver at remote station).

Regarding Claims 14 and 30, Wunderlich discloses wherein a remote application in communication with the third driver is capable of receiving the message (see FIG. 7, CAN Tool software in the PC receives the CAN messages via the combined system of Bluetooth, BT RF, and Bluetooth/CAN conversion.) See page 13-15, Connection Establishment.

Art Unit: 2661

Regarding Claims 15 and 31, Wunderlich discloses wherein the remote application is capable of either passively receiving the message (see FIG. 7 CAN Tool Software receives CAN messages), or

initiating a transmission from the third driver back to the second driver for translation and receipt at the first driver in the first protocol (see FIG. 7 CAN Tool Software at remote station initiates the messages inquires from the combined system of Bluetooth, BT RF, and Bluetooth/CAN conversion at local station, and the message is received at the combined system of CAN driver, CAN, Bluetooth/CAN conversion at local station in the CAN protocol.) See page 13-15, Connection Establishment.

Regarding claims 16 and 32, Wunderlich discloses wherein the third driver (see FIG. 4, the combined system of Bluetooth, BT RF, and Bluetooth/CAN conversion at remote station) is unable to communicate with the second driver unless the third driver adheres to predefined transmission rules (note that it is well known in the art that Bluetooth utilizes the encryption/authentication according to policy/regulation before the message is sent over the air links. Thus, it is clear that Bluetooth RF must utilize such policies/regulations in order to transmit the message to the Bluetooth, BT RF at local station), and transmits messages from only a predefined group of possible messages (note that messages are only send according to commands/inquiries from the particular/specific CAN devices within a group of plurality of CAN devices.) See page 9-15.

Application/Control Number: 09/687,181 Page 12

Art Unit: 2661

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 12, 28, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur'074 in view of Wunderlich.

Regarding claims 12 and 28, Spaur'074 discloses all aspects of the claimed invention set forth in the rejection of Claim 1 and 17 as described above.

Spaur'074 does not explicitly disclose wherein the second protocol is a Bluetooth protocol.

However, the above-mentioned claimed limitations are taught by Wunderlich. In particular, Wunderlich teaches wherein the second protocol is a Bluetooth protocol (see FIG. 4, Bluetooth and BT RF; see page 9-11).

In view of this, having the system of Spaur'074 and then given the teaching of Wunderlich, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Spaur'074, by utilizing Bluetooth as a wireless air link protocol, taught by Wunderlich. The motivation to combine is to obtain the advantages/benefits taught by Wunderlich since Wunderlich states at "page 1, Abstract" that such modification would provide good technical performance, high market penetration, and potential for low cost solution.

Art Unit: 2661

Regarding claim 33, Spaur'074 discloses a system for translating a message of a Network protocol (see FIG. 2, a protocol that communicates to the vehicle devices 50a-50n) to a wireless protocol (see FIG. 2, Air-link/Radio protocol), comprising:

a first driver (see FIG. 2, the combined system of Controller Area Network Control Unit 124 and Controller/network protocol converter 30) to receive the message of the first protocol (see FIG. 2, CAN bus 126 and vehicle devices 50a-50n) and convert the message to an independent format (see FIG. 2, TCP/IP STACK 98 converts the messages into TCP/IP format by encapsulation. Also, see col. 8, line 24-67);

a message handler (see FIG. 2, Controller/network protocol converter 30) to receive said message from said first driver (see FIG. 2, Controller/network protocol converter 30 receives the messages from the Controller Area Network Control Unit 124); and

a second driver (see FIG. 2, Vehicle CDPD network modem 82) to receive said message from said message handler (see FIG. 2, Phone interface 84 receiving TCP/IP messages from Controller/network protocol converter 30) and to convert the message received in the independent format to the wireless protocol (see FIG. 2, Air link/Radio protocol; see col. 7, line 13-21);

a message dispatcher (see FIG. 2, Controller/network protocol converter 30) to receive the message from the first driver before transmitting the message to the message handler, wherein the message dispatcher is adapted to the message handler from a set of one or more message handlers by consulting a database (see FIG. 2, the combined system of Data Memory 106 and Program Memory 114; see col. 10, line 36-64; col. 8, line 1-50; note that RTOS 94 and processor 90, in the Controller 30, are adapted to perform multi-tasking

Art Unit: 2661

management function such as control/memory/communication/ message/error managements. Thus, both RTOS 94 and processor 90 select/direct the message to handling devices such as CGI-BIN 110, Webserver 102, Controller Area Network unit 124, and/or device drivers 128 before transmission in accordance with the combined system of Data Memory 106 and Program Memory 114 (i.e. data base).);

a third driver (see FIG. 2, Remote CDPD Network Modem 76 and Modem 64) coupled to the second driver (see FIG. 2, Vehicle CDPD network modem 82 to the cellular phone 80); where

the first driver and the second driver are located in a vehicle (see FIG. 1, Wireless device 18 and Controller 30; see col. 6, line 3-24; note that both wireless device and controller are in the vehicle);

a multiplexer (see FIG. 2, TCP/IP Stack) is to receive the message from the message handler before transmitting the message to the second driver (see col. 8, line 24-40, col. 12, line 40-69; note that it is well known in the art that TCP/IP stacks encapsulates the data in accordance with Standards. The outputted plurality of messages from various of handling devices CGI-BIN 110, Webserver 102, Controller Area Network unit 124, and/or device drivers 128, must be multiplexed (i.e. converting from parallel inputs to a single serial output) in order to encapsulate them into TCP/IP format. Thus, multiplexing of messages from plurality of input into a serial form must be done so that the multiplexed messages can be encapsulated into the serial radio frames for wireless transmission;

the network multiplexer is to utilize a network configuration unit (see FIG. 2, the combined system of RTOS 94, Processor 90) for at least one of system startup, maintenance,

Art Unit: 2661

and dynamic reconfiguration (see col. 10, line 36-64; col. 8, line 1-50; note that RTOS 94 and processor 90 perform multi-tasking management function such as control/memory/communication/ message/error managements. Thus, it is clear that TCP/IP stack must utilize the combined system of RTOS and processor unit for network management/control tasks such as system maintenance, communication, configuration/reconfiguration (i.e. memory management).)

the message handler is to perform a manipulation on the message (see col. 8, line 24 to col. 9, line 56; note that Web server 102 services information related requests messages in http format. Thus, it is clear that it must manipulate/influence the message.) that includes at least one of packet translation and interaction with a computer application (see FIG. 2, Program Memory 114 and data memory 106; see col. 8, line 40 to col. 9, line 54; note that program memory 114 stores executable software applications associated with the vehicle, and the data memory stores the handling requests or commands. Thus, manipulation/influencing the message includes the web server access data memory to obtain configured data for encapsulation in the message, and the web server also links/interacts with the program memory to execute software applications.);

the message is transmitted from the second driver (see FIG. 2, Vehicle CDPD network modem 82 to the cellular phone 80) to a third driver (see FIG. 2, the combined system of Remote CDPD Network Modem 76 and modem 64) in the wireless protocol by wireless communication (see FIG. 2, Air link).

a remote application is capable of either passively receiving the message (see col.4, line 24-37; note that the application station (i.e. web browser application in the computer

terminal) receives the message from the vehicle periodically.) or initiating a transmission from the third driver back to the second driver for translation and receipt at the first driver in the Network protocol (see col. 2, line 24 to col. 4, line 23; note that the computer terminal initiates the request associated with the vehicle device from the remote uplink CDPD network modem to the downlink vehicle CDPD network modem, and the message is received at the combined system of Controller Area Network Control Unit 124 and Controller/network protocol converter 30 in the protocol which communicates to the vehicle devices 50a-50n.)

Spaur'074 does not explicitly disclose network protocol is a Controller Area Network Protocol, and wireless protocol is a Bluetooth protocol.

However, the above-mentioned claimed limitations are taught by Wunderlich. In particular, Wunderlich teaches the network protocol is a Controller Area Network Protocol (see FIG. 4, CAN protocol), and wireless protocol is a Bluetooth protocol (see FIG. 4, Bluetooth and BT RF; see page 9-11).

In view of this, having the system of Spaur'074 and then given the teaching of Wunderlich, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Spaur'074, by utilizing Bluetooth as a wireless air link protocol to convert automotive CAN protocol, taught by Wunderlich. The motivation to combine is to obtain the advantages/benefits taught by Wunderlich since Wunderlich states at "page 1, Abstract" that such modification would provide good technical performance, high market penetration, and potential for low cost solution.

Page 17

Application/Control Number: 09/687,181

Art Unit: 2661

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N Moore whose telephone number is 703-605-1531. The examiner can normally be reached on M-F: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 703-305-4798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ian N Moore Examiner Art Unit 2661

INM 1/30/04

MICKY NGO PRIMARY EXAMINER